

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FILED ON: May 7, 2008

FILE NO.:
INDEX NO.: 08 CIV 4322TRUSTEES OF THE TEAMSTERS LOCAL 466 PENSION, HEALTH & WELFARE, ANNUITY,
EDUCATION & TRAINING, S.U.B., INDUSTRY ADVANCEMENT AND LEGAL SERVICES FUNDS, ET AL,

Plaintiff(s) - Petitioner(s)

-vs-

BARRIER MOTOR FUELS, INC., f/k/a BARRIER OIL CORP., ET AL,

Defendant(s) - Respondent(s)

STATE OF NEW YORK

COUNTY OF WESTCHESTER

I, **Michael Whyte** being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party
in this proceeding and resides in New York State.On **June 9, 2008** at **12:46 PM**Deponent served the within **SUMMONS IN A CIVIL ACTION & COMPLAINT**upon **WAYNE JEFFERS, DEFENDANT**at address: **20 Beech Lane**City & State: **Tarrytown, NY 10591**MANNER OF SERVICEINDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person so served to be the
1. ☒ person described as said recipient thereinCORPORATION a corporation, by delivering thereat a true copy of each to
2. ☐ personally, deponent knew said corporation so served to be the corporation, described in same as said
recipient and knew said individual to be thereofSUITABLE AGE
PERSON by delivering thereat a true copy of each to a person of suitable age and discretion.
3. ☐ Said premises is recipient'sAFFIXING TO
DOOR, ETC. by affixing a true copy of to the door of said premises which is recipient's
4. ☐ Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having
called there. Deponent talked to premises who stated that recipientMAILING TO
RESIDENCE Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first postpaid envelope properly
Use with 3 or 4 addressed to recipient at recipient's last known residence, at
5a. ☐ and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within
New York State.MAILING TO
BUSINESS Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first postpaid envelope properly addressed
Use with 3 or 4 to recipient's actual place of business, at
5b. ☐ in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof,
by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.DESCRIPTION Deponent describes the person actually served as:
☒ Sex: **MALE** Skin Color: **WHITE SKIN** Hair Color: **GRAY HAIR**
Approx. Age: **51-65 YRS.** Approx. Height: **5'9"-6'0"** Approx. Weight: **161-200 LBS.**
Other identifying features:WITNESS FEES:
☐ \$ authorizing traveling expenses and one days' witness feeMILITARY I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative
SERVICE reply. Recipient wore ordinary clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above
☒ narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in
the Federal Statutes.

Sworn before me on

MICHAEL WHYTE / LIC.NO. 1264544

JUNE 10 2008
AMY KING
Notary Public, State of New York
Reg. No. 01K16149419
Qualified in Westchester County
Commission Expires July 10, 2010